PLYMOUTH BOARD OF SELECTMEN

TUESDAY, APRIL 4, 2017

ALBA THOMPSON ROOM, TOWN HALL, 11 LINCOLN STREET, PLYMOUTH, MA – 6:30 PM

6:30PM - CALL TO ORDER

Ken Tavares, Chairman of the Board, called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

Present: Kenneth A. Tavares, Chairman
Anthony F. Provenzano Jr, Vice Chairman
John Mahoney
Sean Page *(Absent)*
Shelagh Joyce

Melissa Arrighi, Town Manager

Before the meeting began, Chairman Tavares explained why the start time of Open Session was a little earlier, adding that because of the Executive Session they had to make adjustments to the Agenda.

6:31PM - LICENSES AND ADMINISTRATIVE NOTES

LICENSES

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved a One Day Wine and Malt License for **MAR Promotions** for a Mixed Martial Arts Event being held on April 8, 2017 from 6:00pm to 12:00am at Memorial Hall. *Voted 4/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved a One Day All Alcohol License for **Laura Tonello** for a Wedding Reception being held on October 7, 2017 from 4:00pm to 10:00pm at Memorial Hall. *Voted 4/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved a One Day All Alcohol License for **Claire McPartlan** for a Wedding Reception being held on May 27, 2017 from 5:00pm to 11:00pm at Memorial Hall. *Voted 4/0*

On a motion by Shelagh Joyce and seconded by Anthony Provenzano Jr, the Board approved a Common Victualler License for **Will and Company Café**, 4 Court Street. *Voted 4/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved a Vehicle for Hire Operator License for **Plymouth Transportation Inc. d/b/a Mayflower Taxi** for the following: John Curtin, 28 Cherry Street, Rockland, Massachusetts. *Voted 4/0*

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved a Comprehensive Entertainment License (Group III for a Guitarist and Keyboard Player) for **Bertucci's Restaurant Corporation**. *Voted 4/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved an Amplified Music Permit for Bertucci's Restaurant Corporation. This Permit is for a Guitarist and Keyboard Player for their Outside Patio on the following days and times:

- Sunday through Wednesday from 6:00pm to 9:00pm
- Thursday through Saturday from 6:00pm to 10:00pm

ADMINISTRATIVE NOTES

On a motion by Anthony Provenzano Jr and seconded by Shelagh Joyce, the Board granted Exclusive Vendor Rights to the **Plymouth Chamber of Commerce** for their Plymouth Bark in the Park Event held on May 6, 2017 from 10:00am to 4:00pm at Nelson Park. *Voted 4/0*

On a motion by Anthony Provenzano Jr and seconded by Shelagh Joyce, the Board executed an **Order of Layout** for each of the following Town Ways: Ames Street, Brady Lane, Cherrywood Circle, Craig Street, Dover Circle, East Wind Drive, Greenview Drive, Hill Dale Road, Jacob's Ladder Road, McClellan Drive, Micajah Avenue, Monisa Kay Drive, Nonantum Road, Oriole Way, Pawtuxet Road, Sandpiper Lane, Savery Pond Road, Spindrift Lane, Stetson Court, Start Avenue, Trade Wind Lane, West Ridge Trail, Willow Street, and Windward Lane. *Voted 4/0*

Chairman Tavares then announced that the next item which is part of the Administrative Notes was the Recreational Marijuana Ballot Question. He said Town Counsel had amended the original question in order to make it clearer. He then invited the public to come up and make comments.

Randy Parker came up first saying that he went online and searched, and could not find M.G.L. 94G. Mr. Parker then read a statement pertaining to recreational retail marijuana. Melissa Arrighi left to go check on that M.G.L.

Randy Parker went on to say he respects elections and ballot questions like this because it brings voters out. He does question the validity in regards to voter turnout. The November election had a 40% voter turnout where our Town elections typically are 15% so the results may not be accurate.

Anthony Provenzano Jr, Vice Chairman, said he was glad that Randy Parker came first because it will help the Board handle the questions that people will have. Selectman Provenzano then reiterated that this question will not shut down recreational marijuana, just the retail aspect of it. He said there would be no effect on the use or growing marijuana, and that the question is narrowly addressing recreational marijuana retail shops. He finished by saying it is not our intent to ban recreational marijuana. The voters have the opportunity to speak out and have their voices heard.

Keven Joyce came up and asked to have the question read publicly. Chairman Tavares read the question and summary once again.

Keven Joyce then said that his fear was if Plymouth approves retail shops in Plymouth and no surrounding towns do, then Plymouth will be the town that everyone will come to to buy their marijuana. This would be a burden on the town because of the need for additional police and fire. Mr. Joyce then said that the tax revenue is just 2% so the sales would need to be significant in order for the town to benefit from it.

Ashley Shaw came up next saying that she wasn't here to debate whether or not we should allow retail marijuana shops. She went on to say that yes should mean yes and no should mean no. She said that she felt the question is worded in a way that is confusing. A yes vote should mean yes, you want to have retail marijuana shops in Plymouth. Ms. Shaw said asking people if they want to opt out can be misleading. She added that distinct and precise wording will bring people out to the polls. She finished by saying this should be a simple question, should we opt in or out, yes or no.

Chairman Tavares thanked her for her comments and told her that the question came from Town Counsel and that the Board did not get involved. He went on to say that social media has been going crazy and he wanted to make it clear that the Boards intent was not to mislead the residents.

Dan McGuire came up next saying that he agrees with Ashley Shaw. Yes should mean you give consent. "A no vote will not prohibit retail shops" is a double negative and very confusing. Mr. McGuire went on to say he has no business interest in this but he is interested in the tax revenue. He then asked if anyone has reached out to the business owner's downtown to see how they felt about this issue.

Selectman Provenzano said that we do wonder what people want which is why this question is on the ballot.

Chairman Tavares added that this is our opportunity to find out what Plymouth wants. He said we're working very hard to get this question on the May 20th ballot because if we don't then we'll have to have a special election which would cost around $40,000.

Brian Dunn came up next saying we're in a bind because the State Legislature dropped the ball. My issue is that I'm concerned that if this passes then Plymouth will be used like a guinea pig. There isn't enough time to educate voters.

Chairman Tavares said that a number of towns will be placing this question on their ballot and that there will be follow up questions as well. It's another long process and we need to get started immediately. We have a responsibility to ask the community what they want. Chairman Tavares then turned the discussion over to the Board saying that new wording has been presented and we need to act on it soon adding that next Tuesday is the last opportunity we'll have. This question needs to be ready by April 15th if we want it on the ballot.

Selectman Mahoney said the quote of the night is "reasonable rational tax" and I give full credit to Randy Parker. Brian Dunn referenced the State Legislature dropping the ball and that is the case. Also, the possibility exists for medical marijuana dispensaries to transition into providing recreational marijuana as well. Selectman Mahoney then went on to talk about the tax revenue. He used the current excise tax as a failed attempt to being revenue where it is supposed to be, saying that excise taxes were to be used for roads but they have not in this community. A tax is only as good as what you do with them. He finished by saying he agrees with the double negative comments and thinks we should flip flop the yes and no votes. He also said he's in favor of coming back to this next Tuesday, April 11, 2017.

Selectman Joyce that the feedback we've received has made sense. The language of the question has gotten better but it's not 110% just yet. She said she would like to send this back to Town Counsel and see if they can fine tune it a little more. She said we all know that two negatives make a positive. Selectman Joyce finished by saying we have until next Tuesday so we should use that time to make it better.

Chairman Tavares said we will ask Town Counsel for two or three options to this question which has to be done by next week.

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board agreed to table the recreational marijuana question until next Tuesday once Town Counsel has reviewed it and submitted some other option. *Voted 4/0*

7:15PM - ADJOURNMENT

On a motion by Anthony Provenzano Jr and seconded by Shelagh Joyce, the Board voted to adjourn the Open Session at 7:15pm and enter into Executive Session, not reconvene in Open Session. *Voted 4/0*
By Roll Call: Tavares-Yes, Provenzano-Yes, Mahoney-Yes, Joyce-Yes, Page-Absent

Recorded by: Christopher Badot
Administrative Assistant, Board of Selectmen